

BEFORE THE
ILLINOIS COMMERCE COMMISSION

ADAMS TELEPHONE COOPERATIVE) DOCKET NO.
) 04-0228
Petition for suspension or)
modification of Section 251(b)(2))
requirements of the Federal)
Telecommunications Act pursuant to)
Section 251(f)(2) of said Act; for)
entry of Interim Order; and for)
other necessary relief.)
Springfield, Illinois
June 10, 2004

Met, pursuant to notice, at 12:45 P.M.

BEFORE:

MR. JOHN ALBERS, Administrative Law Judge

APPEARANCES:

MR. DENNIS K. MUNCY
MR. JOSEPH D. MURPHY
306 West Church Street
Champaign, Illinois 61826-6750

(Appearing on behalf of the Petitioner)

MR. RODERICK S. COY
MR. HARAN CRAIG RASHES
Clark Hill, P.L.C.
2455 Woodlake Circle
Okemos, Michigan 48864-5941

(Appearing on behalf of Verizon Wireless)

SULLIVAN REPORTING COMPANY, by
Cheryl A. Davis, Reporter, CSR License #084-001662

1 APPEARANCES: (Cont'd)

2 MR. THOMAS R. STANTON
3 MR. ERIC M. MADIAR
4 160 North La Salle Street
Suite C-800
Chicago, Illinois 60601

5 (Appearing on behalf of the Staff of the
6 Illinois Commerce Commission)

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PROCEEDINGS

(Whereupon prior to the hearing Adams
Exhibit 1 was marked for identification.)

JUDGE ALBERS: By the authority vested in me by
the Illinois Commerce Commission, I now call Docket
Number 04-0228. This docket was initiated by Adams
Telephone Cooperative, and the Petitioner seeks a
suspension or modification of Section 251(b)(2)
requirements of the Federal Telecommunications Act.

May I have the appearances for the
record, please.

MR. MUNCY: Yes, Your Honor. Dennis K. Muncy
and Joseph D. Murphy, 306 West Church Street,
Champaign, Illinois 61820, appearing or the
Petitioner, Adams Telephone Cooperative.

MR. MADIAR: Appearing on behalf of the Staff
of the Illinois Commerce Commission, Eric Madiar and
Tom Stanton, Office of General Counsel, 160 North
La Salle Street, Suite C-800, Chicago, Illinois
60601.

MR. RASHES: Good afternoon, Your Honor. Haran
C. Rashes and Roderick S. Coy on behalf of Verizon

1 Wireless, and we are from the law firm of Clark
2 Hill, P.L.C., 2455 Woodlake Circle, Okemos, Michigan
3 48664.

4 JUDGE ALBERS: Thank you.

5 Let the record reflect that there are no
6 others wishing to enter an appearance.

7 The only preliminary matter that I'm
8 aware of is Staff's May 24th motion regarding the
9 filing of its testimony. Is there any objection to
10 that motion?

11 MR. MUNCY: No objection, Your Honor.

12 MR. RASHES: No objection.

13 JUDGE ALBERS: The motion is granted.

14 The purpose of today's hearing is to
15 receive into evidence the previously offered
16 testimony subject to any objections or other
17 motions.

18 With that, we will hear the first
19 witness, so, Mr. Muncy.

20 MR. MUNCY: Yes. I'd call Jason P. Hendricks.

21 JUDGE ALBERS: Mr. Hendricks, would you please
22 stand and raise your right hand, as well as anyone

1 else who is testifying in the Adams matter.

2 (Whereupon the three witnesses were sworn
3 by Judge Albers.)

4 JUDGE ALBERS: Thank you.

5 JASON P. HENDRICKS

6 called as a witness on behalf of Adams Telephone
7 Cooperative, having been first duly sworn, was
8 examined and testified as follows:

9 DIRECT EXAMINATION

10 BY MR. MUNCY:

11 Q. Would you please state your name and business
12 address.

13 THE WITNESS:

14 A. Jason P. Hendricks, 2270 LaMontana Way,
15 Colorado Springs, Colorado 80918.

16 MR. MADIAR: Your Honor, Staff would move to
17 waive the necessity of the foundational questions
18 for this witness.

19 MR. RASHES: We concur, Your Honor.

20 JUDGE ALBERS: All right. Thank you.

21 MR. MUNCY: Your Honor, we'd be offering Adams
22 Exhibit Number 1 which is the Direct Testimony of

1 Jason P. Hendricks for Adams Telephone Cooperative,
2 and, once again, Your Honor, that testimony was not
3 filed on the Commission's e-Docket and a copy has
4 been provided to the reporter. Adams Exhibit 1
5 consists of a cover page and 33 pages of questions
6 and answers constituting Mr. Hendricks' direct
7 testimony.

8 It also has attached to it as Attachment
9 1 to Adams Exhibit Number 1 the local number
10 portability data summary for Adams Telephone
11 Cooperative which Mr. Hendricks prepared and which
12 he discusses in Adams Exhibit 1. As Attachment 2 to
13 Adams Exhibit 1 is the correspondence and other
14 documents which Adams received from wireless
15 carriers concerning wireline-to-wireless number
16 portability.

17 And we'd also be offering Adams Exhibit
18 Number 2 which is Mr. Hendricks' rebuttal testimony
19 in this docket. Adams Exhibit Number 2, which was
20 filed on the Commission's e-Docket, consists of 22
21 pages of questions and answers which are
22 Mr. Hendricks' rebuttal testimony.

1 Adams Exhibit Number 2 also has two
2 attachments. Attachment No. 1 is a document
3 concerning Mr. Hendricks' prepared and addresses why
4 the minutes of use used in his cost analysis are
5 appropriate, as he discusses in Exhibit Number 2,
6 and there's also Attachment No. 2. It is a revised
7 local number portability data summary for Adams. As
8 Mr. Hendricks indicates in his rebuttal testimony,
9 he accidentally made an error in the use of the
10 wrong -- a wrong access charge in his calculations
11 that were originally submitted, and that corrects
12 that error.

13 Therefore I'd offer Adams Exhibit 1
14 together with Attachments 1 and 2 and Adams Exhibit
15 2 with Attachments 1 and 2.

16 MR. MADIAR: Staff would have no objection,
17 Your Honor.

18 JUDGE ALBERS: There are two attachments to the
19 direct?

20 MR. MUNCY: Two attachments to each one.

21 JUDGE ALBERS: Okay. I wanted to make sure I
22 got that right.

1 Any objection from Verizon Wireless?

2 MR. RASHES: Yes, Your Honor. Verizon Wireless
3 objects to binding in Mr. Hendricks' testimony in
4 this proceeding and moves to strike that testimony
5 and dismiss this case.

6 This is not real testimony. Once again,
7 we have identical testimony, substantially identical
8 testimony, which really consists of a presentation
9 that is being made 33 times by multiple witnesses in
10 multiple cases in a consecutive assembly line
11 order. The petitioners have manipulated this
12 Commission and you into really just an assembly line
13 of presenting the same stuff over and over again,
14 not a hearing process.

15 In addition, by filing all 33 cases
16 within just days of each other the petitioners,
17 knowing that there's a 180-day statutory requirement
18 for this Commission to complete these hearings, have
19 boxed you and this Commission into a corner in which
20 we cannot possibly give a fair shake to all of these
21 petitions in the time frame that we have.

22 For example, Your Honor, if you were to

1 spend let's say a minimal three hours reading briefs
2 and preparing an order on each of these, that's over
3 100 hours that you're going to be spending just
4 doing these cases, and that's assuming you don't
5 have any other hearings to attend or other cases to
6 attend, and in the time frame from the time we file
7 our briefs until the time the Commission has to
8 consider this, it's going to be very tight, and that
9 itself questions whether or not a voluminous brief
10 can even be read in three hours, forget three
11 voluminous briefs.

12 JUDGE ALBERS: How voluminous are we talking
13 about here?

14 MR. RASHES: How many hours do you want to
15 spend on it? I mean the policy arguments alone will
16 be substantial in this sort of case, and then you
17 also have factual arguments.

18 Basically it is tying the Commission's
19 hands that the Commission is going to be forced to
20 possibly issue identical orders in numerous of these
21 cases and, in effect, creating a blanket waiver.
22 The ICC lacks such authority. There's nothing under

1 the FCC rules or under the federal
2 telecommunications rules that gives this Commission
3 any sort of blanket waiver authority, and that's
4 what's being created here. We're not dealing with
5 individual fact patterns. We're dealing with a
6 blanket fact pattern that has been sort of just
7 adopted over and over and over again. This is not
8 substantial evidence and should be thus stricken
9 from the record and this case should be dismissed,
10 Your Honor.

11 JUDGE ALBERS: Responses?

12 MR. MUNCY: Yes, Your Honor.

13 This is Mr. Hendricks' testimony and
14 exhibit in the petition for a suspension under 251
15 filed by Adams Telephone Cooperative. While in
16 certain other jurisdictions people have complained
17 about companies asking for a common remedy without
18 individual company facts, it's not surprising that
19 in the circumstance that we're faced with when an
20 FCC order had a similar effect on rural companies
21 throughout Illinois and that impact was analyzed,
22 they would not present testimony pursuant to their

1 rights to do so under the specific statutory
2 criteria of 251(f) of the Federal Act for a
3 suspension, which has specified bases for asking for
4 such a suspension, that the analysis and basis for
5 the request would not be similar. Mr. Hendricks'
6 testimony presents the impact on customers or the
7 adverse impact on customers in the company which is
8 the basis for the suspension request on an Adams
9 factual specific basis in regard to their technology
10 and equipment, the amount of their traffic, etc.,
11 and the various incremental costs that Adams will
12 incur, as Mr. Hendricks has identified in his
13 testimony. This is perfectly appropriate testimony,
14 and while the time constraints are certainly
15 difficult, that's neither Adams fault nor this
16 Commission's fault. It's the federal law that
17 specifies the 180-day time frame.

18 JUDGE ALBERS: Any response from Staff?

19 MR. MADIAR: Staff has no comment, Your Honor.

20 JUDGE ALBERS: Do you have a reply?

21 MR. RASHES: Mr. Muncy said that it's not --
22 claims it's not Adams' fault that we're all log-

1 jammed here with 33 cases, but in effect Adams and
2 the other carriers manipulated the system. Knowing
3 the 180-day rule, they chose to file almost
4 simultaneously. In addition, they chose to file
5 substantially the same arguments over and over and
6 over again.

7 JUDGE ALBERS: Okay. The motion to strike the
8 testimony and the motion to dismiss are both
9 denied.

10 Any other objections to the admission of
11 these exhibits and attachments? Hearing none, they
12 are admitted.

13 (Whereupon Adams Exhibits 1 and 2 with
14 attachments were received into evidence.)

15 MR. MUNCY: Mr. Hendricks is available for
16 cross-examination.

17 JUDGE ALBERS: Do you have any questions of
18 this witness?

19 MR. RASHES: Your Honor, at this time we move
20 to incorporate as an exhibit or by reference the
21 cross-examination of Mr. Hendricks from Case Number
22 -- from Docket Number 04-0239, Odin Telephone

1 Exchange, Inc.. As I've already stated in this
2 case, his testimony is essentially the same, and
3 from a non-cost number perspective our questions
4 would be similar if not identical to that, and we
5 feel we could save a lot of time and save a lot of
6 prejudice to all parties if we were just to
7 incorporate that cross today.

8 JUDGE ALBERS: Is that just the cross or the
9 whole transcript?

10 MR. RASHES: Just the cross, and cross of
11 Mr. Hendricks to be specific.

12 JUDGE ALBERS: Okay. Responses?

13 MR. MUNCY: Once again, Your Honor, we're going
14 to object to that request. Cross-examination in the
15 Odin case was in regard to the evidence that was
16 presented in that case. We haven't had an
17 opportunity to review the transcript. As I happen
18 to recall, while counsel said that it's all similar,
19 that was the case in which it seemed that we spent
20 endless hours of having Mr. Hendricks read from
21 different correspondence that Odin had received from
22 wireless carriers, and there was numerous

1 cross-examination concerning a document that Odin's
2 parent company, FairPoint Communications, had
3 provided to wireless carriers. All of that
4 obviously has nothing to do with this Adams docket,
5 and we're just -- it's not appropriate to
6 incorporate the transcript and cross-examination
7 from another docket into this docket. It would be
8 confusing and have an inappropriate record compiled
9 for this proceedings.

10 JUDGE ALBERS: Mr. Madiar?

11 MR. MADIAR: Your Honor, Staff objects to the
12 wholesale incorporation of Verizon Wireless'
13 cross-examination from Docket 04-0239 for this
14 witness given that each case is its own filed and
15 separate proceeding and despite the similarity of
16 the prefiled testimony or the answers given by the
17 witness on cross-examination; in addition, the lack
18 of the availability of the transcript for that
19 proceeding.

20 Staff remains open to any overture from
21 Verizon Wireless to submit some form of stipulated
22 cross-examination, in whole or part, including the

1 answers to the questions posed, as outlined by the
2 Administrative Law Judge.

3 JUDGE ALBERS: Do you have a reply?

4 MR. RASHES: No, Your Honor.

5 JUDGE ALBERS: Okay. As indicated in the prior
6 dockets, I am concerned about lifting transcripts
7 from one case into another, particularly, as
8 Mr. Muncy pointed out, there would appear to be in
9 this instance some cross that is not germane to
10 Adams Telephone Cooperative, and in light of that
11 and other concerns, the motion is denied.

12 And I guess you did tender Mr. Hendricks
13 for cross, correct?

14 MR. MUNCY: Yes, I did tender him for cross,
15 Your Honor.

16 JUDGE ALBERS: Do you have cross?

17 MR. RASHES: We have no questions for
18 Mr. Hendricks in this docket at this time.

19 JUDGE ALBERS: Does Staff have any questions
20 for Mr. Hendricks?

21 MR. MADIAR: No cross-examination at this
22 time.

EXAMINATION

BY JUDGE ALBERS:

Q. Mr. Hendricks, in light of Staff's position and your rebuttal testimony, should I understand that Petitioner is now only seeking a waiver under Section 251(f)(2)(a)(i)?

A. Yes.

Q. And how many customers does the Petitioner -- I'm sorry. How many employees does the Petitioner have?

A. Sixty-nine.

Q. And if I understood your testimony correctly, the Petitioner would like to train -- would like to provide nontechnical training to all 69 employees? Is that correct?

A. That's correct.

Q. What types of roles do these employees fill?

A. Various roles from technical, whether it be outside plant and switch, to clerical, managerial, so forth.

I would like to note that unlike previous cases, I incorporated a lower estimated training

1 given the number of employees, figuring that there
2 could be some type of discount applied.

3 Q. Well, can we tell from your exhibits then how
4 much the nontechnical training is?

5 A. Yes. Since it's the same between both
6 exhibits, you could refer to either the rebuttal or
7 the direct.

8 Q. Okay.

9 A. Whichever you have in front of you.

10 Q. I think I have the direct.

11 A. Okay. The second sheet of that. Yes, that's
12 the sheet. You'll see three-fourths of the way down
13 employee education cost per employee \$150.

14 Q. Okay. Just multiply that by 69?

15 A. Yes.

16 MR. MADIAR: Your Honor, just so we're clear,
17 we're all looking at Adams Exhibit 1.0, Attachment
18 1, page 2?

19 JUDGE ALBERS: Correct.

20 MR. MADIAR: Thank you.

21 BY JUDGE ALBERS:

22 Q. Do you happen to know what that number is, 69

1 times 150?

2 A. Yes, I do. Well, I guess I misspoke. I
3 thought that I had it on another sheet, but I can
4 tell you that it's 10,525 minus 175.

5 Q. Okay. 10,000 --

6 A. 525 minus 175.

7 Q. Fair enough.

8 At least in this instance with so many
9 employees, did the Petitioner not consider perhaps
10 training just a portion of them and having the
11 remainder learn from that group that did get the
12 training?

13 A. That was considered, but in this instance,
14 given the issue at hand, being the first time that
15 the company would be deploying a service in which
16 they would interact directly with a competitor for
17 service offerings, we felt it was important that all
18 employees were properly trained as far as the
19 procedure and the handling of the situation, as well
20 as for interactions that they may have with their
21 neighbors, given the small size of the telephone
22 company.

1 Q. And what kind of training exactly is it?

2 A. I think it's general overview type training;
3 what LNP is; who is responsible for handling a
4 request from a wireless carrier; what to do if a
5 request is received; general laws and regulations
6 applying to it; perhaps how 9-1-1 is handled if that
7 situation is known at the time of the training; and
8 any other type of general knowledge related to LNP.

9 JUDGE ALBERS: Okay. All right. Thank you.

10 Okay. I think that's all the questions I have.

11 Thank you.

12 Do you have any redirect?

13 MR. MUNCY: No, I do not; no redirect.

14 JUDGE ALBERS: Thank you, Mr. Hendricks.

15 THE WITNESS: Thank you.

16 (Witness excused.)

17 JUDGE ALBERS: Anything further from Adams?

18 MR. MUNCY: Nothing further from Adams.

19 JUDGE ALBERS: Okay. Thank you.

20 Mr. Rashes, would you like to call your
21 witness?

22 MR. RASHES: Verizon Wireless calls Michael A.

1 McDermott to the stand.

2 MICHAEL A. McDERMOTT

3 called as a witness on behalf of Verizon Wireless,
4 having been first duly sworn, was examined and
5 testified as follows:

6 DIRECT EXAMINATION

7 BY MR. RASHES:

8 Q. Good afternoon, Mr. McDermott. Would you
9 please state your full name and business address for
10 the record.

11 THE WITNESS:

12 A. Yes. It's Michael, M-I-C-H-A-E-L, middle
13 initial A., last name McDermott, M-c-D-E-R-M-O-T-T,
14 1515 Woodfield Road, Suite 1400, Schaumburg,
15 Illinois 60173.

16 MR. MUNCY: Your Honor, Petitioner doesn't have
17 any objection to the waiver of the foundation
18 questions and the admission of Mr. McDermott's
19 testimony and Attachments A, B, and C.

20 MR. MADIAR: Staff concurs, Your Honor.

21 JUDGE ALBERS: All right. Thank you.

22 MR. RASHES:

1 Q. Mr. McDermott, does your direct testimony that
2 was prefiled on May 20, 2004, consisting of -- or
3 does your direct testimony consist of 23 pages of
4 question and answer format?

5 A. Yes, it does.

6 Q. And attached to that prefiled testimony were
7 there three exhibits? Exhibit A consisting of an
8 attachment which -- Attachment A consisting of a
9 letter to the Federal Communications Commission from
10 Thomas G. Aridas on behalf of this Commission?

11 A. Yes.

12 Q. And did Attachment B consist of a letter to
13 Stan Wise, president of the National Association of
14 Regulatory Utility Commissioners, from K. Dane
15 Snowden, Chief of Consumer and Governmental Bureau
16 for the FCC?

17 A. Yes.

18 Q. And did Attachment C consist of an excerpt from
19 the NECA, N-E-C-A, Washington Watch?

20 A. Yes.

21 Q. And am I correct -- before I ask that, Your
22 Honor, the testimony and these attachments I just

1 referenced have been filed on e-Docket.

2 Am I correct that you also have an
3 additional exhibit to add today which would be
4 Attachment D?

5 A. Yes, I do.

6 (Whereupon Attachment D to Verizon
7 Wireless Exhibit 1 was marked for
8 identification.)

9 Q. Can you please describe Attachment D for me?

10 A. Yes. Attachment D is a printout of NPA-NXX
11 with the telephone numbers redacted that represents
12 telephone companies' customers who have attempted to
13 port to Verizon Wireless but were unable to do so
14 because the respective numbers in the respective
15 NPA-NXXs were not registered -- were not loaded,
16 registered in the Local Exchange Routing Guide,
17 commonly referred to as the LERG.

18 Q. And, Mr. McDermott, when was this report --
19 what's the date this report was produced over?

20 A. The time frame for which these numbers that are
21 listed on this document were between May 24, 2004,
22 and the evening of June 7th and subsequently on the

1 morning of June 8th in which the final run for this
2 purpose was made.

3 Q. When did you request this report be run for
4 you?

5 A. The morning of June 8th.

6 Q. Is this report a report that Verizon Wireless
7 regularly collects the information and runs this
8 report?

9 A. Yes.

10 Q. And when did they start running this report?

11 A. Well, there was no data prior to May 24th.

12 The report would have been run after May 24th.

13 Q. And why were they unable to collect the data
14 before May 24th?

15 A. Local number portability in the markets outside
16 of the Top 100 MSAs were not required to do porting
17 until that time.

18 Q. And as Regional Director of State Public
19 Policy, is this the type of report that you normally
20 would look at to determine whether or not local
21 number portability requests are coming in in various
22 areas?

1 A. Yes, it would be.

2 MR. RASHES: Your Honor, with that, I have no
3 further questions and I offer Mr. McDermott's direct
4 testimony, Exhibit 1, and his Attachments A, B, C,
5 and D into evidence.

6 JUDGE ALBERS: Any objections?

7 MR. MUNCY: Yes, Your Honor. As I stated
8 previously, we do not have an objection to
9 Mr. McDermott's testimony being entered into the
10 record or to Attachments, A, B, and C.

11 We do, however, object to Attachment D.
12 This is an attempt by Verizon Wireless to submit
13 additional direct testimony inconsistent with the
14 schedule that was established in the hearing.
15 Adams, Petitioner, is not given any opportunity to
16 conduct discovery in regard to Attachment D and
17 since it is just now being provided was not given
18 the opportunity to provide rebuttal testimony.
19 Verizon Wireless is doing this all outside of the
20 schedule that was adopted in the docket, and that's
21 inappropriate and the attachment should not be
22 entered, and then I would also note that this

1 attachment, the companies, various companies that
2 are listed upon here, that Adams Telephone
3 Cooperative, the subject matter of this docket, that
4 company's name does not even appear on this exhibit,
5 and I believe it's inappropriate to be introduced
6 into this docket.

7 JUDGE ALBERS: Any objections from Staff?

8 MR. MADIAR: Yes, Your Honor. Staff objects
9 that the Attachment D to Mr. McDermott's testimony
10 seeking to offer for the truth of the matter
11 asserted is improper hearsay and it does not fall
12 within the business record exception primarily in
13 that Mr. McDermott is not the custodian of record.

14 One other thought is that typically based
15 on the questions and answers and the answers that
16 Mr. McDermott offered, this report was run on the
17 morning of June 8th, and computer-generated
18 documents are typically not business records.
19 Preexisting computer-stored documents are business
20 records and typically fall into the hearsay
21 exception.

22 JUDGE ALBERS: Do you have any response --

1 excuse me -- reply?

2 MR. RASHES: Yes, Your Honor. As is obvious,
3 this document could not have possibly been provided
4 with Mr. McDermott's direct testimony on May 24th.
5 It is a physical, actual and every other way you cut
6 it impossibility to have presented with his direct
7 testimony an exhibit that could not possibly even be
8 collected data until after these companies were
9 required to port.

10 In addition, as the hearsay argument,
11 this is a document -- a business document of Verizon
12 Wireless, a report they regularly run, that
13 Mr. McDermott uses in the regular course of his
14 business, and therefore it falls under the type of
15 document that a reasonable man would use to conduct
16 his affairs and to make assumptions regarding
17 whether or not there was any demand in rural areas
18 in the state.

19 While Adams Telephone Cooperative may not
20 be one of the companies on here, and I'm not saying
21 they are, this goes to show that there is demand in
22 rural areas of the state, something that

1 Mr. Hendricks in his testimony states that he
2 doesn't see any demand coming up. He implies no
3 demand based on a very small demand that he pulled
4 from other Commission orders from months ago and
5 from urban areas, and, you know, this is used as not
6 only to prove that there is rural demand but also
7 really is rebuttal to Mr. Hendricks' argument that
8 there won't be any demand in these rural areas.

9 JUDGE ALBERS: Mr. McDermott, just briefly
10 here, in looking at this, is there any way to tell,
11 given the redaction of what I presume to be the end
12 user's identity, phone number, if you will, in a few
13 places it appears the NPA and NXX repeat, is there
14 any way to know if that's a repeat of the same
15 customer or whether it's two different customers in
16 the same NXX?

17 THE WITNESS: I don't have the phone numbers
18 that have been redacted. I don't have the form with
19 me that would show that the numbers would be
20 sequential or synonymous. My guess is that two
21 people in the same exchange tried to port their
22 number.

1 JUDGE ALBERS: Okay.

2 THE WITNESS: I'd like, at the risk of saying
3 too much, I would believe that if there were two
4 numbers on there, we would have reflected that. We
5 would have eliminated any duplication so that didn't
6 appear to bulk the number up.

7 JUDGE ALBERS: Well, that suggests that you can
8 change the entries on the printout.

9 THE WITNESS: Well, it's in a spreadsheet
10 form. The information could be manipulated.

11 JUDGE ALBERS: Okay. I think in the absence of
12 Adams being one of the listed companies again and
13 other concerns that I have about this, I don't
14 believe it would be proper to admit it into the
15 record at this time.

16 However, I will admit Verizon Wireless
17 Exhibit 1 along with Attachments A, B, and C.

18 (Whereupon Verizon Wireless Exhibit 1
19 with Attachments A, B, and C was
20 received into evidence and Attachment D
21 was denied admission.)

22 MR. RASHES: With that, Your Honor, we tender

1 Mr. McDermott for cross-examination.

2 JUDGE ALBERS: Does anyone have any questions
3 for Mr. McDermott?

4 MR. MUNCY: No cross-examination for
5 Mr. McDermott in this docket.

6 MR. MADIAR: No cross-examination from Staff,
7 Your Honor.

8 JUDGE ALBERS: I don't think I have any
9 questions. Thank you, Mr. McDermott.

10 THE WITNESS: Thank you, Your Honor.

11 (Witness excused.)

12 JUDGE ALBERS: Anything further from Verizon
13 Wireless?

14 MR. RASHES: No, Your Honor.

15 JUDGE ALBERS: Thank you. Turning to Staff
16 then.

17 MR. MADIAR: Yes, Your Honor. Staff would call
18 to the stand Mark A. Hanson.

19 Mr. Hanson, would you -- oh, Your Honor,
20 may I proceed?

21 JUDGE ALBERS: Actually, did I swear you in?

22 MR. HANSON: I don't believe so.

1 JUDGE ALBERS: Okay. Then we'll do that just
2 to be safe, and, Mr. Hoagg, were you sworn in for
3 Adams? Go ahead and stand up and raise your right
4 hand and we'll take care of that.

5 (Whereupon the two witnesses were sworn
6 by Judge Albers.)

7 JUDGE ALBERS: Thank you.

8 MR. MADIAR: Thank you, Your Honor.

9 MARK A. HANSON

10 called as a witness on behalf of the Staff of the
11 Illinois Commerce Commission, having been first duly
12 sworn, was examined and testified as follows:

13 DIRECT EXAMINATION

14 BY MR. MADIAR:

15 Q. Mr. Hanson, would you please state your name
16 and provide your business address for the record.

17 THE WITNESS:

18 A. Mark Hanson, 527 East Capitol Avenue,
19 Springfield, Illinois 62701.

20 MR. MUNCY: Your Honor, the Petitioner is
21 willing to waive the foundational questions in
22 connection with Mr. Hanson's testimony, and we have

1 no objection to having Mr. Hanson's testimony and
2 his attachments entered into the record in this
3 proceeding.

4 MR. RASHES: Verizon Wireless concurs, Your
5 Honor.

6 JUDGE ALBERS: Thank you.

7 MR. MADIAR: Your Honor, at this time Staff
8 would seek to admit into evidence what has been
9 previously marked as ICC Staff Exhibit 3.0 which
10 consists of 12 pages of narrative testimony in
11 question and answer format; in addition, the
12 inclusion of four schedules that have been marked as
13 Schedules 3.1, 3.2, 3.3, Public and 3.3 Proprietary,
14 all of which have been previously filed on the
15 e-Docket system and titled the Direct Testimony of
16 Mark A. Hanson. We would seek to admit this into
17 the record as the sworn direct testimony of
18 Mr. Hanson in this proceeding.

19 JUDGE ALBERS: Any objections?

20 MR. MUNCY: No objection.

21 MR. RASHES: No objection.

22 JUDGE ALBERS: Hearing no objections, then

1 Staff Exhibit 3.0 with the four attachments is
2 admitted.

3 (Whereupon Staff Exhibit 3.0 with
4 attached schedules was received into
5 evidence.)

6 MR. MADIAR: And Staff would make the witness
7 available for cross-examination.

8 JUDGE ALBERS: Does anyone have any questions
9 for Mr. Hanson?

10 MR. RASHES: Your Honor, Verizon Wireless would
11 move to incorporate our cross from Case Number
12 04-0239 of Mr. Hanson. That was the Odin Telephone
13 Exchange case. To save some time I would rely upon
14 the exact arguments I made with respect to
15 Mr. Hendricks and the same request there.

16 JUDGE ALBERS: Okay. And I trust that you
17 gentlemen would rely on your same responses?

18 MR. MADIAR: Correct, Your Honor. Staff would
19 have the same objection it made with respect to
20 Mr. Hendricks.

21 JUDGE ALBERS: Likewise?

22 MR. MUNCY: Yes, Your Honor.

1 JUDGE ALBERS: Okay.

2 MR. RASHES: And our response would be the
3 same.

4 JUDGE ALBERS: Very good. And my ruling would
5 be the same. The motion is denied.

6 MR. RASHES: Then, Your Honor, we have no
7 additional questions for Mr. Hanson at this time in
8 this docket.

9 JUDGE ALBERS: Okay. Don't go anywhere. I
10 have some questions for you.

11 THE WITNESS: Okay.

12 MR. MUNCY: No cross-examination of Mr. Hanson
13 in this docket, Your Honor.

14 JUDGE ALBERS: Okay.

15 EXAMINATION

16 BY JUDGE ALBERS:

17 Q. Mr. Hanson, I noticed in your testimony you
18 recommended that the company only be allowed to
19 recover the costs of one employee receiving
20 technical training. Is that correct?

21 A. Yes.

22 Q. I also noted this company seeks to recover the

1 cost for nontechnical training for 69 employees.

2 Did you review the reasonableness of the recovery of
3 nontechnical training for 69 employees?

4 A. Not with respect to the number of employees.
5 You know, the reason I think that, you know, we
6 probably put more focus on the level of the
7 technical training was because of the high dollar
8 amount per employee for that reason.

9 Q. As I recall in this instance though, the
10 technical training amounted to a \$175 video.

11 A. Okay. This is --

12 Q. Does that sound familiar?

13 A. Excuse me. This is the one with the Siemens
14 switch. Yes, that would be true.

15 Q. Okay. So with that in mind, I think we
16 established with Mr. Hendricks that the cost for
17 nontechnical training would be approximately, and I
18 think I had the math right since he gave us that
19 answer earlier, it would be approximately \$10,450.

20 A. Right.

21 Q. And so with that, do you think it's still
22 reasonable to recover \$10,450 to train every

1 employee of the company on the nontechnical aspects
2 of LNP implementation?

3 A. I don't know, you know, enough about that to
4 make a judgment. Okay? So, yeah, I mean -- yes, I
5 guess.

6 Q. Yes?

7 A. I'm trying to think.

8 Q. Would it help if I restated the question?

9 A. No, I know what you're asking. I understand
10 what you're asking me, the level of the -- you know,
11 it's a good question. You know, I guess I did not
12 review that, you know, particular item in any great
13 amount of detail.

14 Q. Okay. Well, sitting here now, do you think
15 it's appropriate to try to recover that amount of
16 money for training of every employee?

17 A. I really don't have an opinion on that.
18 Okay? I mean -- well, -- I can't even remember
19 this. All these things are a blur.

20 Q. Feel free to look at whatever you want to look
21 at.

22 A. Yeah. Well, I'm looking. I mean because of

1 this particular company because they have such a
2 large number of employees that that does -- relative
3 to some of the others.

4 MR. MADIAR: Do you need your direct testimony
5 or are you fine?

6 THE WITNESS: No, I can tell from the
7 spreadsheet, you know.

8 (Pause in the proceedings.)

9 A. Sixty-nine employees and they're charging what?
10 \$175 per employee?

11 Q. I think in Mr. Hendricks' exhibit, and why
12 don't we confirm just to be absolutely sure, but I
13 think it was \$150 per employee.

14 A. Okay. So they're all watching what? The same
15 tape?

16 Q. Well, so the record is clear, I'm not sure that
17 they're watching a tape for the nontechnical
18 training.

19 A. Yeah, yeah. I don't know. I mean I see the
20 concern, you know, every employee. I mean I guess
21 the company, based on Mr. Hendricks' cross, had made
22 some adjustment in the amount, given the large

1 number of employees. It's one of these things I --
2 you know, they've made some effort to remedy that.
3 As far as a hard and fast number, I don't have much
4 data to say one way or another on it, so.

5 Q. Okay. You see why I'm concerned.

6 A. I understand the concern, and I mean when
7 you're doing this cost stuff, I mean it's like, you
8 know, you kind of look at stuff and, you know, you
9 look at the things that are of the relative
10 magnitude and, you know, since, you know, there's
11 costs that haven't been incurred or -- you know,
12 it's kind of the nature of what you're looking at
13 here, so I understand the concern given the large
14 number of employees for this particular entity. You
15 know, I mean the per unit cost doesn't seem, you
16 know, totally outlandish. You know, 150 bucks isn't
17 a lot of money per person, you know. Now, you know,
18 I guess it's whether, you know, 70 -- almost 69
19 people all need, you know, to have that amount, you
20 know, given -- you know, if it's a smaller company,
21 you'd say everyone in the company may need to have
22 it, but, you know, if you have 70 -- almost 69

1 people, you know, then I don't know.

2 Q. So maybe if you thought about it some more
3 later you might decide otherwise, but at this point
4 in time you're just not sure?

5 A. Right.

6 Q. Is that what I'm hearing?

7 A. Yeah. I mean I understand --

8 Q. I don't want to put words in your mouth.

9 A. No, no. I understand the concern because of,
10 you know, again, I always keep harping the other
11 companies or what we're looking at, but, you know,
12 granted, these things are kind of similar. I mean
13 this particular firm or cooperative I guess has more
14 employees than a lot of the other organizations that
15 we looked at, so that number does tend to be a
16 little higher for this one relative to some others,
17 and so, hence, I guess you could make the argument
18 that, well, they may have more specialized employees
19 and they all don't need to receive the training, but
20 I don't have a firm basis on which to say that.

21 Q. Understood.

22 A. You know.

1 JUDGE ALBERS: Okay. Well, thank you,
2 Mr. Hanson.

3 THE WITNESS: Thank you.

4 JUDGE ALBERS: Do you have any redirect?

5 MR. MADIAR: Just one minute, Your Honor.
6 Thank you.

7 (Pause in the proceedings.)

8 I just have one question.

9 REDIRECT EXAMINATION

10 BY MR. MADIAR:

11 Q. Mr. Hanson, assuming that the 69 nontechnical
12 employees includes the janitors for the company,
13 would you believe it -- do you believe it would be
14 reasonable to allow the company to spend \$150 on LNP
15 nontechnical training for the janitor?

16 A. Probably he doesn't need it; he or she wouldn't
17 need it.

18 MR. MADIAR: Okay. Thank you. That's all I
19 have.

20 JUDGE ALBERS: Okay. I guess no one else had
21 cross questions, so I guess it's up to me. I don't
22 have any recross, so thank you, Mr. Hanson.

1 (Witness excused.)

2 MR. MADIAR: Staff would call Mr. Jeffrey Hoagg
3 to the stand.

4 JEFFREY H. HOAGG

5 called as a witness on behalf of the Staff of the
6 Illinois Commerce Commission, having been first duly
7 sworn, was examined and testified as follows:

8 DIRECT EXAMINATION

9 BY MR. MADIAR:

10 Q. Mr. Hoagg, would you please state your name for
11 the record and provide your business address.

12 THE WITNESS:

13 A. Jeffrey Hoagg, 527 East Capitol Avenue,
14 Springfield, Illinois 62701.

15 MR. MUNCY: Your Honor, the Petitioner would
16 waive the foundation questions in connection with
17 Mr. Hoagg's testimony, and we have no objection to
18 the entrance of Mr. Hoagg's testimony into the
19 record in this proceeding.

20 MR. RASHES: Your Honor, Verizon Wireless would
21 waive the foundational questions, though we do have
22 a motion to strike the testimony that has been

1 offered into evidence.

2 JUDGE ALBERS: Okay. Understood. If you'd
3 like to identify the exhibits, please.

4 MR. MADIAR: Your Honor, at this time Staff
5 would seek to admit what has been previously marked
6 as ICC Staff Exhibit 1 which consists of 20 pages of
7 narrative testimony and entitled the Direct
8 Testimony of Jeffrey H. Hoagg. We would seek to
9 admit this into the record as the sworn direct
10 testimony of Mr. Hoagg in this proceeding.

11 JUDGE ALBERS: Do you have a motion to strike,
12 Mr. Rashes?

13 MR. RASHES: Yes, we do, Your Honor. Verizon
14 Wireless moves to strike a distinct portion of
15 Mr. Hoagg's testimony beginning at line 243 on page
16 11 through line 248 on page 12. This area of
17 Mr. Hoagg's testimony concerns the demand for
18 wireline-to-wireless local number portability take
19 rates, and he point-blank states that his
20 conclusions here and his overall impression of
21 demand is based on hearsay based on his discussions
22 with representatives from SBC and Verizon. Those

1 representatives are not here today. They are not
2 available for cross-examination, and based on
3 previous statements by Mr. Hoagg in other dockets,
4 they were not even the custodian of that
5 information. They had to go to someone else to get
6 that information.

7 Anticipating that Staff will also mention
8 that this appeared in five other Commission dockets
9 and in the Commission orders, well, Mr. Hoagg
10 certainly doesn't say that that was the basis for
11 his information. He says that this information is
12 based on his discussions, i.e. hearsay, with
13 representatives from SBC and Verizon.

14 On those grounds, Your Honor, as well as
15 we do not believe this is something that he
16 reasonably should have relied on knowing that here
17 he's talking about urban areas, Top 100 MSA, non
18 two percent carriers, to extrapolate that to rural
19 carriers would be prejudicial to Verizon Wireless,
20 and we move to strike that portion of his
21 testimony.

22 MR. MADIAR: Your Honor, Staff would seek to

1 have that portion of Mr. Hoagg's testimony remain,
2 and the basis of that is that the testimony offered
3 there falls within the hearsay exception found in
4 Section 10-40 of the Illinois Administrative
5 Procedure Act where it states that -- we believe
6 it's the type of information commonly relied upon by
7 reasonably prudent men in the conduct of their
8 affairs. The take rates are of the type of
9 information that an expert, an opinion witness such
10 as Mr. Hoagg in the field would rely upon in
11 formulating their testimony, and we would seek to
12 have it admitted as substantive evidence based upon
13 that exception.

14 JUDGE ALBERS: Mr. Rashes, I think I heard you
15 refer to some prior testimony from Mr. Hoagg from
16 prior proceedings as part of your reasons for
17 seeking the testimony being stricken. Would you
18 mind trying to establish that in this proceeding?

19 MR. RASHES: Not at all, Your Honor.

20 VOIR DIRE EXAMINATION

21 BY MR. RASHES:

22 Q. Good afternoon, Mr. Hoagg. My name is Haran

1 Rashes, and I represent Verizon Wireless.

2 On the bottom of page 11 of your
3 testimony you talk about discussions with
4 representatives from SBC and Verizon. Let me first
5 clarify; do you mean Verizon Wireless or Verizon
6 Landline?

7 A. Verizon Landline.

8 Q. What were the dates of your conversation -- or
9 your discussions with SBC?

10 A. I don't have a specific date or recollection. I
11 can narrow it down to the time frame of late
12 December of 2003, early January 2004 perhaps.

13 Q. And when --

14 MR. MADIAR: Your Honor, at this time Staff
15 would be willing to stipulate that Mr. Hoagg talked
16 to the two named individuals, for example Carl
17 Wardin with SBC and the other person, I believe Greg
18 Smith with Verizon, and that both men were not --
19 both persons were not the custodians of record and
20 that they needed to obtain that information from
21 someone else. Mr. Hoagg is not aware of the
22 specific query requests submitted by either one of

1 those individuals to whatever internal counterparts
2 within SBC or Verizon in order to dispense with the
3 need to go over the same types of questions with
4 these motions that we've been encountering in the
5 last couple -- over the last couple days in these
6 proceedings.

7 JUDGE ALBERS: Are you willing to accept that?

8 MR. RASHES: So if I'm understanding, are they
9 willing to stipulate to having those questions from
10 another docket incorporated into this record?

11 MR. MADIAR: We're willing to stipulate the
12 facts that I just mentioned on the record here, and
13 if you wanted me to add to that stipulation in that
14 you didn't feel it sufficiently covered the
15 different voir dire questions you were going to end
16 up asking, I would add to that stipulation so that
17 we can dispense with this.

18 MR. RASHES: I would like it also stipulated
19 that these numbers are from January and now I'm
20 hearing possibly late December and have not been
21 updated in the six subsequent months.

22 MR. MADIAR: Staff would stipulate to that as

1 well.

2 JUDGE ALBERS: And just so we're all clear,
3 we're not attempting to incorporate any questions
4 from a prior docket?

5 MR. RASHES: I'd like to, Your Honor, but I
6 don't think Mr. Madiar would agree with that.

7 JUDGE ALBERS: I want to make sure that the
8 stipulation is understood by both parties involved
9 here.

10 MR. MADIAR: No.

11 MR. RASHES: It's my understanding we were
12 stipulating to the facts as just stated by
13 Mr. Madiar.

14 JUDGE ALBERS: Okay. Thank you.

15 MR. MADIAR: Yes, Your Honor.

16 JUDGE ALBERS: Okay. And is there any further
17 questions?

18 MR. RASHES: No, Your Honor.

19 JUDGE ALBERS: All right. In light of that, I
20 can see how a witness might believe it reasonable
21 and prudent to rely on such conversations. Whether
22 in this instance such information should be relied

1 on by the Commission is a different question in
2 light of the additional comments. However, I will
3 not at this time strike the identified testimony.
4 Mr. Rashes, if you would like to pursue that further
5 with Mr. Hoagg under cross, feel free to do so.

6 MR. MADIAR: Your Honor, just so I'm clear, the
7 testimony remains in and for the truth of the matter
8 asserted?

9 JUDGE ALBERS: Actually I would add that the
10 testimony remains in as what Mr. Hoagg relied upon,
11 but not for the truth of the matter asserted.

12 MR. MADIAR: Okay. May I pursue a line of voir
13 dire in order to have that put in as substantive
14 evidence?

15 JUDGE ALBERS: I'm not sure I follow. Do you
16 want to try to establish that the numbers Mr. Hoagg
17 relied upon are substantively accurate?

18 MR. MADIAR: Could we go off the record for a
19 minute?

20 JUDGE ALBERS: Well, this might be better on
21 the record.

22 MR. MADIAR: Your Honor, in the previous case

1 that we have heard I conducted some voir dire on a
2 similar motion to strike and asked Mr. Hoagg about
3 whether he in preparing his testimony looked at the
4 final orders that were entered by this Commission,
5 and at that time at least in that case these take
6 rates were permitted to be in as substantive
7 evidence for truth of the matter asserted, and it's
8 at least my recollection that Mr. Rashes' motion to
9 strike was denied and that evidence was in, so in
10 line with that I was going to pursue the same voir
11 dire that I did in that case.

12 JUDGE ALBERS: You may attempt to do so.
13 However, again, the weight that anything -- the
14 weight that such numbers will be given remains to be
15 seen, so bear that in mind.

16 MR. MADIAR: I understand. Your Honor, I
17 understand that. If it's in for substantive
18 evidence, it's different for our purposes of brief
19 versus being in for a limited purpose of a
20 permissible basis for --

21 JUDGE ALBERS: You may attempt to put it in as
22 substantive evidence.

1 MR. MADIAR: Correct. I agree.

2 JUDGE ALBERS: But I'm not saying that that's
3 been concluded.

4 MR. MADIAR: I'm not insinuating. Right.
5 Okay.

6 MR. RASHES: Your Honor, I don't really
7 understand the purpose of further voir dire on this
8 because the testimony speaks for itself. Are they
9 trying to supplement the testimony? That would be
10 the only purpose of it. It says right here based on
11 my discussions with representatives from SBC and
12 Verizon. This testimony was filed -- I'm trying to
13 remember if it was filed before or after the
14 Commission's order; the Commission's orders in the
15 five cases that we're talking about. If anyone can
16 help me.

17 MR. STANTON: After.

18 MR. RASHES: It was filed after. Therefore, if
19 he was relying on that, why didn't he just say it?
20 That's not what he was relying on based on his
21 testimony. It says based on my discussions with.
22 It doesn't say and based on the Commission's orders

1 in this case.

2 JUDGE ALBERS: Well, again, I think Mr. Rashes
3 is raising a good point. As I think we're all
4 aware, the Commission orders -- the information in
5 the Commission orders does stem from Mr. Hoagg's
6 testimony at that point.

7 MR. MADIAR: Maybe I can save us the trouble
8 here. I have no interest in pursuing an additional
9 line of voir dire. If it's being allowed in for a
10 limited purpose, then Staff is content with that.
11 Thank you.

12 JUDGE ALBERS: Okay. Thank you. So does
13 everyone understand where we're at? Okay. Whether
14 you like it or not.

15 MR. MADIAR: Staff is fine.

16 JUDGE ALBERS: Okay.

17 MR. MADIAR: Thank you, Your Honor.

18 JUDGE ALBERS: Any other objections then to
19 Staff Exhibit 1?

20 MR. RASHES: No.

21 JUDGE ALBERS: No? Hearing no further
22 objections, then Staff Exhibit 1 is admitted.

1 (Whereupon Staff Exhibit 1 was received
2 into evidence.)

3 JUDGE ALBERS: Does anyone have any questions
4 for Mr. Hoagg?

5 MR. RASHES: Your Honor, Verizon Wireless
6 would, once again, move to incorporate the
7 cross-examination from the transcript in Docket
8 04-0239, Odin Telephone Exchange, to incorporate the
9 cross-examination of Mr. Hoagg in that docket into
10 this either by reference or as an exhibit when such
11 transcript becomes available. In the interest of
12 time I will rely on my previously made arguments
13 when I tried to do the same for Mr. Hendricks'
14 testimony.

15 JUDGE ALBERS: And that was just the cross?

16 MR. RASHES: In this case. Yes, just the
17 cross.

18 JUDGE ALBERS: Okay. And would you gentlemen
19 rely on the same responses?

20 MR. MADIAR: Yes, Your Honor, Staff would.

21 MR. MUNCY: Yes, Your Honor.

22 JUDGE ALBERS: Same reply?

1 MR. RASHES: And I would have the same reply.

2 JUDGE ALBERS: And the motion is denied.

3 MR. RASHES: Then, Your Honor, Verizon Wireless
4 has no line of questioning at this time for
5 Mr. Hoagg in this docket.

6 JUDGE ALBERS: Okay.

7 Do you have any questions, Mr. Muncy?

8 MR. MUNCY: No cross-examination for Mr. Hoagg
9 in this docket.

10 EXAMINATION

11 BY JUDGE ALBERS:

12 Q. Mr. Hoagg, do you know what area code Adams
13 Telephone Cooperative lies in?

14 A. I believe I have that information. It's my
15 understanding that Adams is in the 217 area code.

16 Q. Thank you.

17 To the degree that implementing LNP is
18 related to number pooling, do you believe the
19 Commission should be concerned about the impacts on
20 number pooling?

21 A. Well, yes. I believe that the Commission
22 should be concerned about the impact upon the

1 ability to -- for number pooling to occur.

2 Q. Okay. That's what I was getting at. Thank
3 you.

4 Do you believe that delaying the
5 imposition of new area codes would be in the public
6 interest?

7 A. Delaying the imposition --

8 Q. Of new area codes.

9 A. Of new area codes. As a general matter, and,
10 again, I'm just not at all expert in these areas,
11 but I certainly have a strong impression and general
12 understanding that a delay in the necessity for
13 things such as area code splits and so forth is in
14 the public interest and that the Commission
15 generally attempts to defer the necessity of those
16 things into the future if possible.

17 Q. Okay.

18 Do you think it's possible that a
19 patchwork of sorts could result if some ILECs
20 received suspensions and some didn't?

21 A. Yes. I believe that that is one almost
22 inevitable result.

1 Q. What problems do you believe might occur if
2 there's such a patchwork?

3 A. It's likely that that would cause or certainly
4 increase customer confusion and difficulties
5 associated with that confusion on a customer side.
6 It seems almost certain that it would also pose
7 several problems for companies attempting to cope
8 with that kind of a patchwork, and it seems also
9 almost certain or it seems very likely that it will
10 cause them to incur costs of some, you know, level
11 that I can't -- you know, of some sort of unknown
12 level or that I wouldn't have a good assessment of
13 that the companies wouldn't otherwise incur if that
14 patchwork weren't there.

15 Q. And do you think the Commission should at least
16 consider these problems, potential problems, in
17 making a decision in this matter?

18 A. Yes. I think the Commission should have some
19 concern about both of the potential issues or
20 problems that you had just asked me about and should
21 consider those carefully.

22 JUDGE ALBERS: Thank you, Mr. Hoagg.

1 Does Staff have any redirect?

2 MR. MADIAR: Staff has no redirect, Your
3 Honor.

4 JUDGE ALBERS: Okay. Thank you. You may step
5 down.

6 (Witness excused.)

7 JUDGE ALBERS: Does Staff have anything further
8 in this case?

9 MR. MADIAR: Staff rests, Your Honor.

10 JUDGE ALBERS: Thank you.

11 And is there anything further from anyone
12 on this matter?

13 MR. MUNCY: No, Your Honor. I believe the
14 docket should be marked Heard and Taken.

15 JUDGE ALBERS: Is there anything further from
16 Verizon Wireless?

17 MR. RASHES: No, Your Honor.

18 JUDGE ALBERS: Thank you.

19 If there's nothing further, this matter
20 is marked Heard and Taken.

21 HEARD AND TAKEN

22